demnation of 2½ gross of Glikol at Mayaguez, P. R., alleging that the article had been shipped by Brewer & Co. (Inc.), from Worcester, Mass., on or about January 10, 1930, and transported from the State of Massachusetts into Porto Rico, and was being offered for sale and sold in Porto Rico by Farmacia Guzman (Pan American Manufacturing Co.), Mayaguez, P. R., and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of ammonium chloride, guaiacol, potassium acetate, sodium salicylate, glycerin, oil of peppermint, a trace of chloroform, alcohol (1 per cent), sugar, and water.

It was alleged in the libel that the article was misbranded in that the following statements appearing upon the carton and bottle labels, and in the accompanying circular, regarding the curative and therapeutic effects of the said article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed. "Antibacillary Mixture. Specific for the respiratory tract. Recommended for Bronchitis, Acute and Chronic; Pneumonia, Catarrhs, * * * Grippe, * * * Also for Asthma, Rheumatism and Whooping Cough."

On May 6, 1930, Antonio Guzman Rodriguez, proprietor of the Farmacia Guzman, Mayaguez, P. R., having appeared as claimant for the property, and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of $400, conditioned in part that it should not be sold or otherwise disposed of until properly relabeled as required by law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17325. Adulteration and misbranding of tablets phenolphthalein, solution camphor in oil, tincture digitalis, tincture aconite root, solution ergot, tincture cinchona, and fluid extract belladonna leaves. U. S. v. The Tilden Co. Plea of guilty. Fine, $2,625. Fine reduced to $1,750. (F. & D. No. 23763. I. S. Nos. 24461-x, 24464-x, 24467-x, 24468-x, 24472-x, 24547-x, 24548-x.)

At the April, 1930, term of the United States District Court, within and for the Southern District of New York, the United States attorney for said district, acting upon a report by the Secretary of Agriculture, filed in the District Court aforesaid an information containing 14 counts against the Tilden Co., a corporation, New Lebanon, N. Y., alleging shipment by said company, in violation of the food and drugs act, from the State of New York into the State of New Jersey, of quantities of drugs which were adulterated and misbranded. The said drugs consisted of phenolphthalein tablets, solution camphor in oil, tincture digitalis, and tincture aconite root, shipped on or about April 10, 1928; tincture cinchona and fluid extract belladonna leaves, shipped on or about May 28, 1928; and solution ergot, shipped on or about June 5, 1928, and were labeled in part as hereinafter set forth.

It was alleged in the information that the articles were adulterated in that their strength and purity fell below the professed standard and quality under which they were sold, viz: The tablets phenolphthalein were each represented to contain ½ grain of phenolphthalein, whereas said tablets contained not more than 0.373 grain of phenolphthalein. Each mil of the solution camphor in oil was represented to contain 0.2 gram (3 grains) of camphor, whereas each mil of the article contained more than 0.2 gram (3 grains) of camphor, to wit, not less than 3.637 grains of camphor. The said tincture digitalis was represented to conform to the standard provided by the United States Pharmacopœia, whereas it did not. The said tincture aconite root was represented to conform to the said pharmacopœia, and each 100 cubic centimeters was represented to contain 0.045 gram of aconitine, whereas it did not conform to the pharmacopœia, and each 100 cubic centimeters of the article contained less than 0.045 gram of aconitine, to wit, not more than 0.0225 gram of the ether-soluble alkaloids of aconite, including aconitine. Each ampul of the said solution ergot was represented to contain 2 grams (31 grains) or ergot, whereas each of said ampuls contained not more than 10 grains of ergot. The said tincture cinchona was represented to conform to the said pharmacopœia and each 100 cubic centimeters thereof were represented to contain 0.75 gram of anhydrous ether-soluble alkaloids, whereas it was not tincture cinchona which conformed to the standard of the pharmacopœia, and each 100 cubic centimeters thereof contained less than 0.75 gram of anhydrous ether-soluble alkaloids. Each 100 cubic centimeters of the said fluid extract of belladonna leaves was repre-

sented to contain 0.3 gram of alkaloids, whereas each 100 cubic centimeters of the article contained more than 0.3 gram of alkaloids, to wit, not less than 0.373 gram of alkaloids. Adulteration was alleged with respect to the tincture digitalis, tincture aconite root, tincture cinchona, and fluid extract belladonna leaves for the further reason that they were sold under names recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined by the tests laid down in said pharmacopœia official at the time of investigation, viz, the pharmacopœia provides that tincture of digitalis, when injected into the ventral lymph sac of a frog should have a minimum systolic dose of not more than 0.0065 cubic centimeters for each gram of body weight of frog, whereas the said tincture digitalis required more than so provided, to wit, 0.012 cubic centimeter for the minimum systolic dose for each gram of body weight of frog. The said pharmacopœia provides that tincture aconite root, when administered subcutaneously to guinea pigs, has a minimum lethal dose of not more than 0.00045 centimeters for each gram of body weight of guinea pig, whereas the said tincture aconite root, when administered subcutaneously to guinea pigs required more than 0.00045 cubic centimeter for a minimum lethal dose for each gram of body weight of guinea pig, to wit, 0.0009 cubic centimeter for each gram of body weight of guinea pig. The said pharmacopœia provides that each 100 cubic centimeters of tincture cinchona should yield not less than 0.8 gram of the alkaloids of cinchona, whereas each 100 cubic centimeters of the said tincture cinchona yielded less than 0.8 gram of the alkaloids of cinchona, to wit, not more than 0.297; and the said pharmacopœia provides that each 100 cubic centimeters of fluid extract of belladonna leaves should yield not more than 0.33 gram of the total alkaloids of belladonna leaves, whereas each 100 cubic centimeters of the said fluid extract of belladonna leaves yielded more than 0.33 gram of the total alkaloids of belladonna leaves, to wit, not less than 0.373 gram of alkaloids; and the strength, quality, and purity of the said articles were not declared on the containers thereof.

It was further alleged in the information that the articles were misbranded in that certain statements appearing in the labeling were false and misleading, in that the articles were not as represented by the said statements, viz: The said tablets phenolphthalein were labeled, "Tablets Phenolphthalein ½ gr.," which represented that each tablet contained one-half grain of phenolphthalein, whereas each of said tablets contained less than one-half grain of phenolphthalein.

The said solution camphor in oil was labeled, (box) "Each mil Contains Camphor 0.2 Gm. (3 Grs.)," and (ampul) "I Mil * * * Containing Camphor 0.2 Gm. (3 Grs.)," which represented that each mil of the article contained 0.2 gram (3 grains) of camphor, whereas each mil of the article contained more than 0.2 gram (3 grains) of camphor. The said tincture digitalis was labeled, "Tincture Digitalis, U. S. P. * * * This tincture is made from drugs by percolation in strict accord with the U. S. P.," which represented that the article conformed to the tests laid down for tincture digitalis in the United States Pharmacopœia, whereas it did not. The said tincture aconite root was labeled, "Tincture Aconite Root, U. S. P. * * * each 100 cc. contains 0.045 gm. Aconitine," which represented that the article was tincture aconite root which conformed to the United States Pharmacopœia, and that each 100 cubic centimeters thereof contained 0.045 gram of aconitine, whereas it did not conform to the standard laid down in the said pharmacopœia and each 100 cubic centimeters contained less than 0.045 gram of aconitine. The said solution ergot was labeled on box containing ampuls, "Ampul 1 Cc. (16 Min.) Sterilized Solution Ergot * * * 2.0 Gm. (31 Grs.)," which represented that each ampul contained 2 grams, namely, 31 grains of ergot, whereas each ampul contained less than 2 grams and less than 31 grains of ergot. The said tincture cinchona was labeled, "Tincture Cinchona, U. S. P. * * * Each 100 Cc. contains 0.75 Gm. anhydrous ether-soluble alkaloids. This tincture is made from the drug by percolation in strict accord with the U. S. P.," which represented that the article was tincture cinchona which was in strict accord with the United States Pharmacopœia, and that each 100 centimeters of the article contained 0.75 gram anhydrous ether-soluble alkaloids; whereas it was not tincture cinchona which was in strict accord with the said pharmacopœia, and each 100 cubic centimeters of the article contained less than 0.75 gram of anhydrous ether-soluble alkaloids. The said fluid extract belladonna leaves was labeled, "Fluid Extract Belladonna Leaves, U. S. P. * * * Each 100 Cc. contains 0.3 Gm. alkaloids," which represented